

REMARKS

In the Office Action dated March 4, 2003, the Examiner has accepted the drawings as originally filed. Additionally, the Examiner objected to various aspects of a specification. Specifically, the brief description of the drawings and minor text errors that required correction.

Claims 1 through 20, were all of the claims originally filed, were rejected biased on the Myers patent claims 1, 2, 4, 5, 11, 12, 14 and 15 were rejected under 35 U.S.C. 102(e), and the remaining claims, that is, claims 3, 6 through 10, 13 and 16 through 20 were rejected under 35 U.S.C. 103(a).

Applicant responds as follows:

I. OBJECTIONS TO SPECIFICATION

By the above amendments to the specification, it is believed that all of the objections have been satisfied. The brief description of the drawings, the formalities and typographical errors have been corrected by amendment.

II. 35 U.S.C. 102(e) REJECTION

Claims 1, 2, 4, 5, 11, 12, 14 and 15 were rejects as being anticipated by the Myers patent. Myers is directed to a protected cover that utilizes spaced bladders that are interconnected. The bladders are filled and drained through inlet condulets. Myers bladders are interconnected with flexible conduits so that liquid flows from one bladder to the next. This enables the liquid to essentially seek its own level by shifting to bladders located lower than others and enables all the bladders to be filled with a single connection.

The difficulty with the Myers device is that water will flow down hill and ballast may be removed by gravity from higher areas where ballast may be desired.

Additionally, the preferred embodiments of Myers seem to have a low level or down hill inlets that would require liquid ballast to be forced up hill. Finally, with the Myers device, selective ballast removal from individual bladders to achieve irregular anchoring (e.g. over an odd shaped object) would not be possible.

On the other hand, the present invention is not only different from the Myers teachings, but is also directed to opposite purpose and results. In the present invention, the devices have separate individual anchor compartments. These are not interconnected and, as stated on page 9 and 10 of the original specification, separate small tank compartment anchors are referred in the present invention for a number of reasons.

Among these reasons are:

- (1) The ability to empty one or more compartments to satisfy anchoring requirements for specific applications;
- (2) The need to prevent massive fluid weight shifts when the tarp is being moved;
- (3) The ability to flatten out, fold, or shorten the functional length of the tarp; and,
- (4) Containment and minimization of leaks.

The claims as now amended specifically set forth that the compartments are separate from one another. Last, in view of these amendments and above arguments, it is urged that this rejection should not be sustained.

III 35 U.S.C.(a) REJECTION

Claims 3, 6 through 10, 13 and 16 through 20 stand rejected as obvious over Myers. All of the arguments set forth under section II above are repeated and incorporated herein. Additionally, the limitations set forth in claims 6 through 10 and 16 through 20 are not taught or in any way suggested by the Myers patent. Thus, Myers specifically teaches away from having a plurality of central tank component anchors located at a central area. Myers does not teach or suggest other arrangements as well, that would enable the use of rolls or cutting of large tarps into smaller units. While the Examiner correctly points out that location of anchors is an obvious matter of choice, the specific choices of anchor locations in these claims are not arbitrary, have specific purpose (for making multiple tarps from a single roll, for example). For all of these reasons, it is urged that rejection based on 35 U.S.C. 103(a) is no longer appropriate and should be withdrawn.

Thank you.

Respectfully submitted,

Dated: 2 April 2003

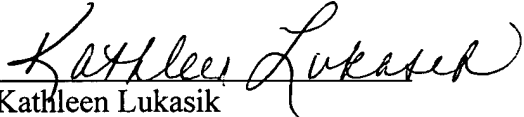


Kenneth P. Glynn
Reg. No. 26,893
Attorney for Applicant
24 Mine Street
Flemington, NJ 08822
(908) 788-0077 Tele
(908) 788-3999 Fax

KPG/cjl
EM RRR No. EU 535312841 US
cc: Peter N. Glynos

CERTIFICATION OF MAILING BY EXPRESS MAIL

The undersigned hereby certifies that this document was delivered to the United States Post Office in Flemington, New Jersey 08822 between 7:30 a.m. and 4:45 p.m. on ~~4/7~~ April 2003. The undersigned further declares that this Certification is made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under applicable sections of United States law and that willful false statements made before the United States Patent and Trademark Office may jeopardize the validity of the application or issuing patent related thereto.


Kathleen Lukasik

KPG/kal
EM EU 535312841 US

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

Insert the following new paragraph on page 7 at line 5:

Figure 1 illustrates a view of a present invention protective tarp with anchors, covering a log pile.

Figure 2 shows a top view of a present invention tarp with flat flexible sheet material forming its central portion with tank compartment anchors along all four edges.

Figure 3 shows a present invention protective tarp that is circular.

Figure 4 shows another present invention protective tarp that is rectangular.

Figure 5 shows a present invention protective tarp with a plurality of tank compartment anchors arranged symmetrically from a continuous roll.

Figure 6 and 7 show tarp segments cut from the present invention tarp shown in Figure 5.

CLEAN VERSION OF NEW PARAGRAPH

In the Specification:

Insert the following new paragraph on page 7 at line 5:

Figure 1 illustrates a view of a present invention protective tarp with anchors, covering a log pile.

Figure 2 shows a top view of a present invention tarp with flat flexible sheet material forming its central portion with tank compartment anchors along all four edges.

Figure 3 shows a present invention protective tarp that is circular.

Figure 4 shows another present invention protective tarp that is rectangular.

Figure 5 shows a present invention protective tarp with a plurality of tank compartment anchors arranged symmetrically from a continuous roll.

Figure 6 and 7 show tarp segments cut from the present invention tarp shown in Figure 5.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

Paragraph beginning on page 8, line 7.

Present invention protective tarp 1 of Figure 1 is shown [to cover] to cover a log pile 10 but could be used for covering any mass, such as a motorcycle, lawn furniture, sand piles, swing sets, or outdoor construction projects in progress. While Figure 1 shows the tank compartment anchors 13 and 15 to run the entire length of edges 9 and 11, this is not required, in many embodiments, there will be a plurality of tank compartment anchors along a single edge.

CLEAN VERSION OF NEW PARAGRAPH

In the Specification:

Paragraph beginning on page 8, line 7.

Present invention protective tarp 1 of Figure 1 is shown to cover a log pile 10 but could be used for covering any mass, such as a motorcycle, lawn furniture, sand piles, swing sets, or outdoor construction projects in progress. While Figure 1 shows the tank compartment anchors 13 and 15 to run the entire length of edges 9 and 11, this is not required, in many embodiments, there will be a plurality of tank compartment anchors along a single edge.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

Paragraph beginning on page 8, line 14.

Figure 2 shows a present invention projective tarp 20 which has a flat flexible sheet material 21 forming [it's] its central portion and made of flat flexible material and has edges 23, 25, 27, and 29. In this embodiment, there are tank compartment anchors along all four edges so that the tarp may be more close ended. Edge 23 includes tank compartment anchors 31, 33, 35, 37, and 39 while opposite edge 25 includes tank compartment anchors, 41, 43, 45, 47, and 49. Ends 27 and 29 include tank compartment anchors 51 and 53.

CLEAN VERSION OF NEW PARAGRAPH

In the Specification:

Paragraph beginning on page 8, line 14.

Figure 2 shows a present invention projective tarp 20 which has a flat flexible sheet material 21 forming its central portion and made of flat flexible material and has edges 23, 25, 27, and 29. In this embodiment, there are tank compartment anchors along all four edges so that the tarp may be more close ended. Edge 23 includes tank compartment anchors 31, 33, 35, 37, and 39 while opposite edge 25 includes tank compartment anchors, 41, 43, 45, 47, and 49. Ends 27 and 29 include tank compartment anchors 51 and 53.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

Paragraph beginning on page 10, line 4.

In Figure 3, a circular present invention protective tarp 60 is shown. There is a singular, continuous peripheral edge 61 to central portion flexible sheet material 63, as shown. There are four attached tank compartment anchors 65, 67, 69, and 71 located symmetrically around the edge 61 while protective tarp 60 is shown as circular, the flat sheet material 63 could be formed or stitched so as to be conical and to therefore efficiently protect piles of granular material such as road salt or sand. In this particular embodiment, there is also a relatively large, [Velcro] VELCRO® (a hook and loop fastener) sealed flap 73, which will enable a user to open the flap and remove the granular material therefrom.

CLEAN VERSION OF NEW PARAGRAPH

In the Specification:

Paragraph beginning on page 10, line 4.

In Figure 3, a circular present invention protective tarp 60 is shown. There is a singular, continuous peripheral edge 61 to central portion flexible sheet material 63, as shown. There are four attached tank compartment anchors 65, 67, 69, and 71 located symmetrically around the edge 61 while protective tarp 60 is shown as circular, the flat sheet material 63 could be formed or stitched so as to be conical and to therefore efficiently protect piles of granular material such as road salt or sand. In this particular embodiment, there is also a relatively large, VELCRO® (a hook and loop fastener) sealed flap 73, which will enable a user to open the flap and remove the granular material therefrom.